IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 25111 of 2005

Between:

The Assistant Provident Commissioner (Legal),

Employees Provident Fund Organisation,
Bhavisyanidhi Bhavan, Barkatpura, Hyderabad-A.P.

..... PETITIONER

AND

The Official Liquidator, High Court of A.P., 3-5-398,

1st Floor, Kendriya Sadan, Sultan Bazar, Koti,
Hyderabad-500 195.

.....RESPONDENT

ORDER:

Seeking a Mandamus, declaring the action of the respondent in not releasing the claim amount of Rs.43,57,794/- which was allowed by the respondent through proceedings dated 29.01.2003 and in not considering the representation of the petitioner dated 05.04.2004 with regard to release of balance amount of Rs.1,34,833/-, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Official Liquidator.

The petitioner submits that M/s.Republic Forge Co.Ltd., was covered under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 in Code No.AP/2914, and the said company was fell due certain contribution payable to the petitioner. But, however, the said company went in liquidation and the respondent was appointed as Liquidator. The claim petition of the petitioner was allowed to an extent of Rs.43,57,794/- by proceedings dated 29.01.2003, but the said amount has not been released. Therefore, the petitioner made a representation on 05.04.2004 before the respondent, but the said representation has not been disposed of. It is stated that in addition to the said amount, the petitioner was also entitled for release of balance amount of Rs.1,34,833/-.

As the representation of the petitioner dated 05.04.2004 is pending consideration with the respondent, without expressing any opinion on merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondent to consider and dispose of the representation of the petitioner dated 05.04.2004, in accordance with law, within a period of 8 (eight) weeks, from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 25.11.2005

Dsr